

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SANTIAGO TURRIETA,

Plaintiff,

v.

No. CIV 10-0192 WJ/LAM

ROBERT ULIBARRI, et al.,

Defendants.

ORDER TO CURE DEFICIENCY

Plaintiff submitted a civil rights complaint. The Court determines that the document is deficient as described in this order. Plaintiff is directed to cure the following if he wishes to pursue his claims:

I. Filing Fee.

_____ No filing fee (\$350 civil) has been received.

II. Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915:

- (1) _____ is not filed
- (2) _____ is missing affidavit
- (3) X is missing certified copy of prisoner's inmate account statement for the 6-month period immediately preceding this filing
- (4) _____ is missing required financial information
- (5) _____ is missing an original signature by the prisoner
- (6) _____ is not on proper form (must use current form)
- (7) _____ names in caption do not match names in caption of complaint, petition or habeas application
- (8) _____ An original and a copy have not been received by the Court. Only an original has been received.
- (9) _____ other _____

III. Complaint, Petition or Application:

- (1) _____ is missing
- (2) _____ is not on proper form (must use our form Rev. 5/96)
- (3) _____ is missing an original signature by the prisoner

- (4) — is missing page nos. —
- (5) — uses et al. instead of listing all defendants/respondents
- (6) — An original and a copy have not been received by the Court. Only an original has been received.
- (7) — Sufficient copies to serve each defendant/respondent have not been received by the Court.
- (8) — names in caption do not match names in text
- (9) — other _____

Papers filed in response to this order must include the civil action number (CV 10-192 WJ/LAM) of this case. Failure to cure the designated deficiencies within thirty (30) days from the date of this order may result in **dismissal** of this action without further notice.

IT IS THEREFORE ORDERED that Plaintiff cure the deficiencies designated above **within thirty (30) days from the date of this order.**

IT IS FURTHER ORDERED that the Clerk is directed to mail to Plaintiff, together with a copy of this order, the following forms: 2 copies each of Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Financial Certificate.

IT IS FURTHER ORDERED that, if Plaintiff fails to cure the designated deficiencies **within thirty (30) days from the date of this order, this action may be dismissed without prejudice without further notice.**

IT IS SO ORDERED.



HONORABLE LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE